

**MADISON COUNTY PLANNING BOARD MEETING
MEETING MINUTES
08/29/2022**

1. Call to Order: 6:00 p.m. by President Steve Janzen

2. Roll Call:

Members Present: Laurie Schmidt, Steve Janzen, John Stowe, Maggie Good, Del Bieroth, Rita Owens, Tamara Millican-Wood, Darlene Tussing and Betsey Weltner.

Members Virtual: Lincoln Roberts

Members Absent: Pat Bradley

Staff Present: Michelle Schriock (Planning Clerk) and Kristy Harper (Planner I) and Ryan Wolter (IT).

Others Present: Jerry Grebenc (Senior Planner – Great West Engineering), Cody Marxer (Planner-Great West Engineering), Bob Stump (Mayor- Town of Sheridan), Rick Remitz (Developer), Jeremy Fadness (WWC Engineering), Fran McNeill, Carmen Greenlee, Karen Giongianai, Allen Schallenberger, Dixie Schallenberger, CeCe Weldon, Tom Roberts, TJ Carter, Heidi Woods, Tamara Todd, Gary and Dori Hilliker, Steve Cunliffe, Judy Edwards, Linda Dixon, Steve Eckert, Fran Kahn, Tim Kahn, Kaye Counts, Gerry Arambula, Nancy Males, Rahn Abbott, Andrea Hammerman, John Hammerman, Stephanie Kruer, Doris Fischer, Steve Dobb, Lon Seidel, Mike Walter, Jeff Gerth, Colleen Guenmane, Bob Bates, Bonnie Sitter, Mary Bates, Julie Pearce, Mike Pearce, Jean Prough, Sherry Huff, Chris and Brenda Perkins, Kristan Lamb, Jerry Wolter, Claire Leonard, Brad Schwend, Mark Cadle, Gregg Osland, George Pyne, Pam and Jeff Whitmore, Joel Buyan, and Dodie Arterburn and Kate Rose (Madisonian).

Others Virtual: Jerry Grebenc (Planner – Great West Engineering), Nancy Males, Lisa Roberts, Matt Alvarez, Robert and Ann Glasmann, Beth Famiglietti (MB MT Acquisition), Ann Schwend, Britani Allhands, David and Natalie Six, Tom Schroeder, Michele Schroeder, L Tucker, Craig Cunningham, Vicki Sullivan, Samantha Arbogast, and Dianna Ellis.

3. Minutes:

- July 25, 2022

<p>MOTION: To approve July 25, 2022 minutes with corrections. Moved by Good; and seconded by Millican-Wood. Motion carried unanimously.</p>
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4. President's Comments: Thanked all that were present for hearing tonight.

5. Opportunity for Public Comment for items not on the agenda:

- Matt Alvarez – spoke in opposition to Mile Creek RV Park and Resort.
- Kaye Counts – Read a letter of dispute to Mile Creek RV Park and Resort, provided to Planning Board Secretary to be placed on record and provided to Planning Board members to review when the public hearing is held.
- Gregg Osland, Dianna Ellis, Samantha Arbogast also spoke in opposition to the Mile Creek RV Park and Resort.

6. Statement of Conflict of Interest/Ex-Parte Communications:

- Del Bieroth – noted that he is the Chairman of the Sheridan Rural Fire Board to make the Planning Board aware. Planning Board discussed and decided there was no conflict of interest or ex-parte communication.
- Darlene Tussing – stated that she received a letter from Tom Roberts in an email and had forwarded to the Planning Board and Planning Department staff. No conflict of interest or ex-parte communication was noted.

Janzen read the Statement of Process of Rights:

The review process is directed by state statute and procedural rules. Rules help guarantee the rights of all parties to be fairly heard and give the Board full opportunity to deliberate on the proposal.

7. Public Hearing: The Crossings Subdivision 6:25 p.m.

Grebenc asked to place the staff report on record and reminded the Planning Board that their recommendation would go to the Town Council of Sheridan for a final decision. One lot is dedicated to parkland. Annexation is not an issue. A new well is being proposed to meet the demand for water. Whether or not the application goes through, a new well will be constructed. The Fire Chief would like to see International Fire Code. Impossible to set heights without zoning or building codes. Roads would not drop below a level B. Seasonal high groundwater. No basements are a condition. Parkland 2 will be private as well as ask the Town of Sheridan to accept it as parkland and cash. The Town's Growth Policy is in general compliance. It doesn't address density. Grebenc noted that public comments received up to the date of the staff report included water and sewer services, increase in costs to water services, and impact on character of the town. The Traffic Impact Study that was done shows that there would be over 700 vehicle trips per day. The study submitted is a level B. Grebenc also pointed out the recommended amendments to the Conditions of Approval provided to the Planning Board. The recommendation would be conditional with 24 conditions of approval.

Comments from developer:

Jeremy Fadness (WWC Engineering) thanked the planners and Planning Board for their time. He noted minimal comments during the review process. The Transportation Study meets the Madison County Subdivision Regulations. Will install new gravity fed water systems and all of this will not happen without DEQ approval and that is currently in progress. Funding will go through ARPA. 1000 gallons per minute is achievable. Fire flow will be based on construction. They would take out the 4 plex units if necessary and just have duplexes and single-family residents. Paving isn't required for international fire code. He asked that the Planning Board consider taking out the paving requirement and let the Town of Sheridan decide on that. The town currently doesn't have paved roads. Based on their soil report, the land is suitable for development. Municipal facilities exemption. Stormwater would be reviewed and approved by the Town of Sheridan.

Public Comment: 6:55 p.m. Janzen read the Public Comment Guidelines

Tom Roberts – His concerns are traffic, Water Street as the Traffic Impact Study (TIS) isn't accurate. It fails to recognize corridors, winter vs summer, the study is incomplete.

Nancy Males – Concerned about lot sizes at 5,000 square feet. These are too small. Another concern is how wildlife is impacted (i.e. sandhill cranes) and viewshed will be taken away.

Colleen Guenmane – Traffic is busy right now during summer season without the new development, what will it be like with the new subdivision? Parking is an issue. Impact on deer, only one crosswalk, will new residents be courteous?

Brad Schwend – Housing is needed and this is an opportunity for Sheridan to grow. Employees need housing and he is for this subdivision.

Steve Cunliffe – Impact on schools?

Dori Hilliker – Too many negatives. Public health and safety is an issue along with water. Most people in town are against this subdivision. In regards to the Growth Policy, residents of Sheridan like a small town with slow growth and the application should be denied.

Doris Fischer – Three concerns about the projects are public health and safety, neighborhood and housing affordability and planning timeline for marketing and build-out of proposed lots. Subdivider should pay for an independent study.

CeCe Weldon – Agrees with all previous comments made and use control when it comes to density. The Madison County Subdivision Regulations should be amended to address density.

Joel Buyan – Feels that it's not a housing issue, it's a marketing issue. This is not affordable housing. How can you limit it to make it affordable?

Jeff Gerth – he is the interim Fire Chief in Sheridan and has concerns if a fire was to occur if there would be enough water to fight a fire.

Lon Seidel – Safety of school children, there will be no school bus available to children in this subdivision.

Allen Shallenberger – Agrees with previous comments made and opposes this subdivision.

Mike Pierce – Egregious development of a 40% increase in population. Please use common sense and feels that this is not an affordable housing option.

Bonnie Sitter – Needs to be intelligent development and take density into consideration.

Steve Dobb – His concerns are sewer capacity, water capacity, health and safety of residents and opposes this subdivision.

Judy Edwards – School traffic. It's a very busy street. Public health and safety and access issue for fire and water.

Mark Cadle – He is a real estate investor and he understands is that there's nothing stopping people like him from buying up the lots and turning them into Air BnBs.

Ryan Wolter – He attended the last Housing Board meeting and noticed that Remitz hasn't been at the meetings. Questions during that meeting came up about the land being purchased by Montana Land Trust, is this true? Who's going to be keeping track of revenue? Yearly audit? Any updates regarding these issues would be greatly appreciated.

Ann Schwend – She is a sustainability advocate and has concerns about water, public health and safety and minimum house size is of concern. Connecting to city water and sewer is a benefit but there is a 'catch 22'. She encouraged the Planning Board to use creativity.

Vicki Sullivan – Also noted water issues and what are the impacts of a new well.

Public Comment Closed: 8:11 p.m.

Rick Remitz (owner of property) stated he has tried every possible way for affordable housing. It is based on what the market will be when construction does happen. He also wanted to address the comment regarding him not in attendance at the Housing Board meeting. He has been at every meeting except for the most recent one. He's attended 95% of the meetings.

Planning Board Discussion: 8:21 p.m.

Planning Board discussion included: MCA 76-3-514, affordable housing, water, sewer, fire protection, not in conformance with the Sheridan Growth Policy, drilling wells that are adequate, soils related to building limitations and provisions for monitoring water flow.

Good - can well be dug before a recommendation for approval be submitted? Millican-Wood – They can't plat until the well is dug.

Tussing – Can we suggest phased development? Remitz - #1 they're waiting on DEQ approval, #2 more density in town, lot sizes are smaller for affordability, he may consider conditional phasing. Conditional phasing makes sense in some ways but the cost would need to be taken into consideration. They can't meet HUD definition of affordable housing.

Good – Asked about the 4 water rights being transferred to the Town of Sheridan. Remitz – they are waiting for DEQ approval.

More Planning Board discussion: parking, paved roads verses sidewalks, density, traffic, clarify/condition of well, roads and traffic study and to continue meeting.

10:09 p.m. After discussion with developer and owner it was decided to continue the meeting to another date to be determined.

Motion to reschedule meeting to a later date to be determined moved by Bieroth; seconded by Tussing. Motion carried unanimously.

- 8. Monthly Report:** No concerns noted, except that the Planning Department is extremely busy and understaffed.

9. New Business:

Planning Board member applications. Schriock informed the Board that she has been in contact with the Town of Virginia City and they will get application(s) to the Madison County Commissioners as soon as they can. The Board agreed to see if representation from Virginia City could be met.

- 10. Unfinished Business:** Schmidt - the Bylaws were adopted by the Madison County Commissioners on August 16, 2022. She will be working with Marxer to begin work on the Subdivision Regulations again and possibly be on the October agenda for discussion.


- 11. New Business:** none

- 12. Unfinished Business:** none

- 13. Planning Board Member Reports:** none

14. Adjournment

The meeting was adjourned at 10:23 p.m.



Steve Janzen – President

Michelle Schriock, Secretary

